



Ministry  
of  
Forests



## Request for Proposals for Community Forest Pilot Agreement

### 1

## PACKAGE CONTENTS

The purpose of this Request for Proposals (RFP) is to inform interested communities (“Proponents”) of an opportunity from the Ministry of Forests (the “Ministry”) of the Province of British Columbia (the “Province”) to submit proposals for a community forest pilot agreement. This RFP package contains the following:

- Important Information for Prospective Proponents
- RFP Notice (the “Notice”)
- Table of Contents
- Part A: Background Information
- Part B: Submission Requirements
- Part C: Attachments
  - RFP Receipt Confirmation Form
  - Proposal Outline
  - Documentation for Verification of Legal Entity
  - Documentation of Contributing Land Base and AAC
  - Documentation of Community Support and Awareness
  - Business Plan Guidelines
  - Preliminary Management Plan Guidelines
  - Pilot Evaluation Criteria

September 17, 1998

Ministry of Forests  
Corporate Policy and Planning Branch  
(3rd Floor- 610 Johnson Street)  
PO Box 9515 STN Prov Govt  
Victoria, B.C. V8W 9C2

### ***Instructions:***

- 1. Please check to ensure that your package is complete.***
- 2. Please complete and return the RFP Receipt Confirmation Form (Attachment A) immediately to ensure that you receive any further information regarding this RFP.***

## IMPORTANT INFORMATION FOR PROSPECTIVE PROPONENTS

Proponents who are considering submitting a detailed proposal for a community forest pilot agreement are advised to carefully review and understand the requirements contained in this Request for Proposals (RFP) and consider the following points before proceeding:

- Attention is drawn to the mandatory submission requirements set out in section 4.7. Proposals that fail to fulfil these mandatory requirements will be rejected.
- The Minister of Forests has received more than 80 expressions of interest regarding the submission of proposals for community forest pilot agreements, and it is expected that many high quality proposals will be submitted. Proponents must accept that, due to the small number of pilot agreements being contemplated, they may not be successful despite submitting a strong proposal.
- The operation of a community forest pilot agreement will require considerable expertise, investment and commitment. The community forest pilot agreement will be subject to the requirements and obligations set out in legislation, including the *Forest Act* and *Forest Practices Code of British Columbia Act*. Agreement holders will also be expected to meet the terms and conditions of the community forest pilot agreement, which will incorporate commitments made by the community and will specify reporting requirements that enable the monitoring and evaluation of the pilots. It is the responsibility of the proponents to understand the nature of these requirements and obligations.
- A draft of the community forest pilot agreement is still under development at the time this RFP is being released. No later than October 18, 1998, information on the proposed content of the pilot agreement will be forwarded to proponents who have submitted a RFP Receipt Confirmation Form (Attachment A) indicating that they will be submitting a proposal or that they wish to receive future information regarding the RFP.
- The future decision whether to award long-term community forest agreements will depend firstly on the success of the overall community forest pilot project as a whole and in turn, on the performance of individual pilot agreement holders. Thus pilot agreement holders should have no expectations that long-term agreements will be automatically awarded following the pilot process.
- The new legislation which enables the community forest pilots does not provide rights to manage or develop resources which fall outside the mandate of the Ministry of Forests. Consequently, it may be necessary for an agreement holder to seek additional rights (i.e., through permits and leases) from other agencies in order to accomplish its full range of management objectives described in a pilot proposal. Be aware that such additional rights may not always be available.

# RFP NOTICE



Ministry  
of Forests



## REQUEST FOR PROPOSALS

### ***Community Forest Pilot Agreements***

The Minister of Forests is requesting proposals to test a new form of forest tenure, the "Community Forest Pilot Agreement". As few as three pilot agreements may be offered, province-wide.

The following legal entities are eligible to submit proposals: Indian bands, municipalities, regional districts, and registered societies, cooperatives, companies and partnerships.

Prior to submitting a proposal, interested parties must obtain a RFP package which details complete submission requirements. RFP packages can be obtained by phoning (250) 356-7880 or submitting a facsimile request to (250) 356-7903.

Proposals must be received by 4:00 pm on January 15, 1999, at the following location:

***Community Forest Pilot Agreement RFP***  
Ministry of Forests  
Corporate Policy and Planning Branch  
(3rd Floor- 610 Johnson Street)  
PO Box 9515 Stn Prov Govt  
Victoria, B.C. V8W 9C2

# TABLE OF CONTENTS

PACKAGE CONTENTS .....	i
IMPORTANT INFORMATION FOR PROSPECTIVE PROPONENTS .....	ii
RFP NOTICE.....	iii
TABLE OF CONTENTS .....	iv

---

## **PART A: BACKGROUND INFORMATION..... 6**

---

1. BACKGROUND .....	6
1.1 Project History.....	6
1.2 Project Objectives.....	6
1.3 Community Forest Legislation .....	7
1.4 Pilot Selection Process.....	11
1.5 Monitoring and Evaluation of Pilots and Project .....	11

---

## **PART B: SUBMISSION REQUIREMENTS..... 12**

---

2. GENERAL INFORMATION .....	12
2.1 Authority .....	12
2.2 Changes to RFP .....	12
2.3 Ownership of Proposals .....	12
2.4 Freedom of Information.....	12
2.5 Acceptance of Terms .....	12
2.6 Pilot Agreement .....	13
3. PROPONENT ELIGIBILITY.....	13
3.1 Legal Eligibility.....	13
3.2 Joint Proposal .....	13
4. PROPOSAL PREPARATION AND SUBMISSION .....	14
4.1 Deadline for Submission.....	14
4.2 Inquiries .....	14
4.3 Primary Contact .....	14
4.4 Proposal Outline and Format.....	14
4.5 Proposal Costs.....	15
4.6 Submissions .....	15
4.7 Mandatory Submission Requirements.....	15
4.8 Proposal Verification and clarification.....	16
4.9 Amendments.....	16
4.10 Withdrawal .....	16
5. EVALUATION AND AWARD.....	17
5.1 Opening of Proposals .....	17
5.2 Evaluation and Selection Process .....	17
5.3 Minimum Scores .....	17
5.4 Interviews.....	18
5.5 Public Hearings.....	18
5.6 Opportunity for Public Input in the Absence of a Public Hearing.....	19
5.7 Negotiation with Selected Proponents .....	19
5.8 Obligations of the Ministry.....	19
5.9 Summary of Causes for Rejection of a Proposal.....	19

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<b>PART C: ATTACHMENTS .....</b>	<b>21</b>
Attachment A. RFP Receipt Confirmation Form .....	22
Attachment B. Proposal Outline.....	23
Attachment C: Documentation for Verification of Legal entity .....	25
Attachment D. Documentation of Contributing Landbase and AAC .....	27
Attachment E. Documentation of Community Support and Awareness .....	29
Attachment F. Business Plan Guidelines.....	31
Attachment G. Preliminary Management Plan Guidelines .....	34
Attachment H. Pilot Evaluation Criteria .....	37
Attachment I. Content of Community Forest Pilot Agreement .....	39

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## **PART A: BACKGROUND INFORMATION**

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### **1. BACKGROUND**

#### **1.1 Project History**

Under the Jobs and Timber Accord, government committed to design and pilot a new community forest tenure to increase the direct participation of communities and First Nations in the management of local forests and to create sustainable jobs.

Acting on this commitment, the Minister of Forests in December 1997 appointed a Community Forest Advisory Committee (CFAC) to make recommendations on the features of a community forest tenure, selection of community forest pilots and a process to monitor and evaluate the pilots. CFAC includes representatives from communities, First Nations, forest workers, industry, environmental groups and academia.

In January 1998, to provide government with a better sense of the nature and scope of community interest in community forestry, the Minister invited communities to submit formal expressions of interest to participate in the pilot project. More than 80 responses were received.

Largely on the basis of CFAC's recommendations to the Minister, legislation was drafted to enable the piloting of a new community forest agreement. This legislation has since been brought into force.

#### **1.2 Project Objectives**

The community forest pilot project proposes to establish a number of short-term pilot agreements (a minimum of three) which will provide an opportunity to test:

- the new community forest legislation and its compatibility with existing forest legislation, and the extent to which the community forest legislation succeeds in furthering government and community objectives for community forest management;
- a range of administrative models and forest management regimes operating under the community forest pilot agreement; and
- the process for entering into community forest agreements.

## Government's Objectives

This new form of tenure is intended to provide new opportunities for community management of Crown forest land. By providing communities with greater flexibility to manage local forests, government seeks to:

- provide long-term opportunities for achieving a range of community objectives, including employment, forest-related education and skills training and other social, environmental and economic benefits;
- balance uses of forest resources;
- meet the objectives of government in respect of environmental stewardship including the management of timber, water, fisheries, wildlife and cultural heritage resources;
- enhance the use of and benefits derived from the community forest agreement area;
- encourage co-operation among stakeholders; and
- provide social and economic benefits to British Columbia.

### 1.3 Community Forest Legislation

Legislation, introduced as part of the *Forests Statutes Amendment Act, 1998* (Bill 34) establishes a new form of forest tenure, the community forest agreement. Specifically, the legislation:

- sets out the content of the new community forest agreement;
- links the new agreement to key provisions in the *Forest Act* and *Forest Practices Code of British Columbia Act*;
- enables the development of regulations related to the agreement;
- establishes provisions to award and evaluate agreements; and
- includes provisions for the possible replacement of the pilot agreements with long-term community forest agreements.

Certain sections of the legislation came into force on July 30, 1998 to allow the new tenure to be tested through community forest pilot agreements. The following is a description of the key components of the new agreement coupled with background information on the intent of each component and how it relates to the pilot project. Proponents are advised to review the legislative amendments under the *Forests Statutes Amendment Act, 1998* (Bill 34), which can be acquired through Crown Publications or via the government of BC Internet site: [www.legis.gov.bc.ca/bills/3rd\\_read/](http://www.legis.gov.bc.ca/bills/3rd_read/)

## **Attributes of a Tenure Holder**

In order for the government to enter into a community forest agreement with a community, it is necessary that the proponent be a legal entity. The types of legal entities that will be eligible to hold pilot agreements are described in section 3.1 of this RFP.

CFAC recommended that the legal entity holding the agreement be able to demonstrate a number of key requirements:

- representative of the broad spectrum of interests in the community;
- accountable to the community that it represents;
- able to operate in a democratic manner;
- locally based;
- financially self-sufficient;
- able to undertake the set-up costs and the long-term investment required; and
- able to operate like a business.

During the pilot project, various legal entities will be monitored to determine how effectively they meet these requirements.

## **Land Base**

Each community forest pilot agreement will describe a specific area of land to be managed as the community forest. The land base can include Crown land and may also include municipal land, Indian Reserve land, and private land that an owner wishes to have managed as part of the community forest. There are no specifications in legislation related to size, shape or location; however, the land base for the community forest must be suitable to meet the management objectives proposed by the community.

During the pilot, the nature and scope of the land base components (e.g., type of contributions, size, shape, location) will be examined to determine if there is a need to alter the land base requirements in future agreements.

## **Tenure Term and Replacement**

The legislation defines three types of community forest agreements which differ in their provisions for award, term and replacement provisions as follows:

**Community forest pilot agreement.** This agreement will be awarded by the Minister in response to this RFP. Each pilot agreement will have a term of five years, with provisions for extension and replacement with a long-term community forest agreement following an assessment at the end of the pilot period. To provide the Minister with necessary flexibility, the legislative provisions for application and award do not apply to the community forest pilot agreement. Rather, the process for application and award for the pilot agreements is specified in this RFP.

**Probationary community forest agreement.** Assuming that the pilot project is successful, a probationary community forest agreement will be the form of tenure that communities may be awarded when future opportunities arise. Like pilot agreements, a probationary agreement will have a term not exceeding five years, with provisions for extension and replacement with a long-



term community forest agreement following an assessment at the end of the probationary period. Unlike the pilot agreements, probationary agreements will be subject to the application and award provisions specified in the legislation.

**Long-term community forest agreement.** Both pilot agreements and probationary agreements may be replaced by long-term community forest agreements with a term of between 25 and 99 years, which is subject to review and replacement every 10 years thereafter. The decision to award a long-term agreement to pilot agreement holders will depend on the success of the overall community forest pilot project and in turn, on the performance of individual agreement holders. Subsequent award of long-term agreements to probationary agreement holders will focus on performance of individual agreement holders. Thus proponents for pilot agreements should have no expectation that a long-term agreement will be awarded to any recipient of a pilot agreement.

### **Rights under a Pilot Agreement**

A community forest pilot agreement is intended to be a first step towards providing communities with the opportunity to manage an area of Crown forest land for a variety of uses. As with other forest tenures, each pilot agreement holder will have exclusive rights to harvest and manage timber in the agreement area. In addition, rights to manage for botanical and other forest products may also be granted. The scope of potential additional rights will be set out in a regulation to be developed as part of the pilot project and will depend in part on community management objectives identified in the pilot proposals.

It is important to note that the legislation does not provide rights to manage for resources which fall outside of the mandate of the Ministry. Consequently, it may be necessary for an agreement holder to seek additional rights (i.e., through permits and leases) from other agencies in order to accomplish its full range of management objectives as described in its pilot proposal. In some cases, these additional rights may not be available. As part of the pilot project, the Ministry will work with pilot holders to determine how the acquisition of additional rights can be efficiently coordinated through the community forest pilot agreement.

### **Management Plans**

Each community forest agreement will require a management plan. The management plan will describe local forest resource management objectives for the community forest agreement area and management approaches that are designed to meet these objectives.

A preliminary management plan must be included in the proposal for a community forest pilot agreement. Where a pilot agreement is awarded, a further opportunity will be given to the proponent to complete the management plan in the form required by the Ministry.

To ensure that local management objectives do not conflict with higher level social, economic and environmental objectives for Crown forest lands, proposed management plans will require approval of the Ministry of Forests regional manager or designate. Once approved, a management plan becomes an integral part of the community forest pilot agreement.

### **Business Plans**

A business plan must also be included with the proposal for a community forest pilot agreement. The business plan will describe how the agreement area will be managed from a business perspective. Information contained in the business plan will be used in the proposal evaluation

and commitments contained in the business plan may be incorporated into pilot agreements. The effectiveness of business plans will be monitored during the pilot period to determine whether they should continue to be a standard application requirement for a probationary community forest agreement and to determine whether they should be included as a condition of replacement with the long-term community forest agreement.

### **Forest Management Responsibilities of Agreement Holder**

Holders of community forest agreements, including pilot agreements, will be responsible for complying with all legislative requirements of the *Forest Act*, *Forest Practices Code of British Columbia Act*, *Heritage Conservation Act*, *Fisheries Act*, *Water Act*, *Wildlife Act* and all other applicable acts and their regulations.

Forest operations that occur under the community forest pilot agreement will face the same responsibilities as those applied to woodlot licences under the Woodlot Licence Forest Management Regulation of the *Forest Practices Code of British Columbia Act*. Holders of community forest pilot agreements will be required to complete operational plans and obtain permits as required under the *Forest Practices Code of British Columbia Act*, including a forest development plan, site plans, cutting permits and road permits.

In addition to operational planning, holders of community forest pilot agreements will be required to undertake, and pay for, timber cruising, road development and maintenance, timber harvesting, reforestation, fire prevention measures, insects and disease control, required surveys and all other costs associated with operations under the agreement.

Pilot agreements will be monitored to assess the effectiveness of, and any shortfalls associated with, the application of the regulatory regime described above.

### **Payments to the Government**

The provincial stumpage system will be applied to timber harvested from the Crown land portion of each community forest pilot agreement. Copies of the coast and interior stumpage appraisal manuals are available from Crown Publications.

Community forest pilot agreements will also be subject to payment of annual rent, the rate of which has yet to be established through regulation. In preparing the business plan for the proposal, a rate of \$1.25 per hectare of Crown land in the agreement area should be used. This rate is subject to change, dependent on the regulation to be enacted and on the provisions of the individual pilots agreements.

The Ministry is interested in exploring alternative fiscal arrangements as part of the pilot project. Following award of the community forest pilot agreements, successful proponents may be invited to submit ideas for alternative fiscal arrangements. Although any proponent is welcome to identify alternative fiscal arrangements as an option within their proposals for this RFP, such options will not be evaluated as part of the proposal.

Holders of community forest pilot agreements will also be responsible for the payment of all applicable taxes and fees. These taxes and fees will vary depending on the type of land contributing to the agreement area as well as the type of legal entity holding the agreement.

## **1.4 Pilot Selection Process**

The process for selection and award of the community forest pilot agreements is set out in this RFP. An important component of the selection process is the criteria used to evaluate the pilot proposals. The criteria for evaluation, which were developed by a CFAC sub-committee, focus on the selection of a "short-list" of pilot proponents which are best positioned to implement successful pilots and which have proposed management objectives that are consistent with government's objectives for the community forest agreements. To be considered for pilot tenures, proponents must demonstrate strong, broad-based community support, focused management objectives, and well established plans and business strategies for implementing those management objectives. Using the short-list and in consideration of factors outlined in section 5.2 iv, the Minister will select the pilots.

## **1.5 Monitoring and Evaluation of Pilots and Project**

Individual community forest pilot agreements, and the overall community forest pilot project, will be monitored and evaluated by government during the pilot period and at its conclusion. Results of the monitoring and evaluation process will help to identify successful elements and potential pitfalls associated with the new form of tenure. These results will be used to determine whether government should proceed with adoption and expansion of a community forest program, which would include the replacement of existing community based forest tenures with the new community forest agreement. It will also be used to determine whether individual pilot agreement holders should be offered long-term community forest agreements and the conditions of those agreements if offered.

To support the monitoring and evaluation process, each community forest pilot agreement holder will be required to monitor and report on its progress towards achieving management objectives, commitments, obligations and requirements specified as part of its agreement. It will also be required to commission independent annual audits to provide external evidence that reported activities, expenditures and revenues are accurate, and that applicable forestry and environmental standards have been met.

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## **PART B: SUBMISSION REQUIREMENTS**

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### **2. GENERAL INFORMATION**

#### **2.1 Authority**

This RFP is made in accordance with section 43.5 of the *Forest Act*, as amended by section 5 of the *Forest Statutes Amendment Act, 1998*. This RFP is considered to be an invitation made by the Minister under section 43.5 of the *Forest Act* and a proposal made under this RFP is considered to be an application made in accordance with that section.

#### **2.2 Changes to RFP**

In the event that the Ministry wishes to amend this RFP, it will do so in the form of written addenda or of re-issued documents which will be available at least one month prior to the RFP closing date. All addenda shall be considered to be part of the RFP and shall have the same effect as if they were part of the original RFP.

The Ministry will make every effort to distribute addenda to all known proponents. However, it is solely the proponent's responsibility to be aware of and familiar with any addenda or supplementary information issued.

Proponents are advised to return the RFP Receipt Confirmation Form (Attachment A) to the Ministry to ensure that they are on a list to receive any changes to the RFP.

#### **2.3 Ownership of Proposals**

All proposals submitted, other than late proposals or any proposal withdrawn prior to the opening of proposals, become the property of the Ministry and will not be returned to proponents.

#### **2.4 Freedom of Information**

All proposals are subject to the disclosure and privacy provisions of the *Freedom of Information and Protection of Privacy Act*.

#### **2.5 Acceptance of Terms**

Proposals are submitted and accepted on the basis that proponents have read and agree to all the provisions of this RFP. Proposals which impose any condition on, or modification of provisions of this RFP may be rejected.

## **2.6 Pilot Agreement**

Information on the proposed content of a community forest pilot agreement will be included as an addendum to this RFP under Attachment I (refer to *Important Information for Prospective Proponents*).

Proponents should study this information to ensure that the contents of their proposals are consistent with, and will address any specified requirements. Any and all statements or commitments made in proposals may, at the discretion of the Ministry, be included in the agreement document and thereby become a binding contractual commitment on the part of the agreement holder.

## **3. PROPONENT ELIGIBILITY**

### **3.1 Legal Eligibility**

Proposals for community forest pilot agreements will only be accepted from the following legal entities:

- (a) a band as defined in the *Indian Act* (Canada);
- (b) a municipality or regional district;
- (c) a society incorporated under the *Society Act*;
- (d) an association incorporated under the *Cooperative Association Act*;
- (e) a corporation incorporated or registered under the *B.C. Company Act*; or
- (f) a partnership which may consist of some of the foregoing entities and which is registered under the *Partnership Act*.

Proponents are solely responsible for ensuring that their entity is lawfully constituted, in good standing and authorized to carry on the business described in the proposal in accordance with all applicable federal, provincial and municipal legislation, including statutes, regulations and by-laws. Proponents should refer to Attachment C for the required documentation for each legal entity.

### **3.2 Joint Proposal**

Where two or more eligible legal entities jointly submit a proposal, each of the entities must comply with the requirements stated in section 3.1 above. Proponents are advised that if a jointly submitted proposal is offered a pilot agreement, the entities submitting the proposal may be required to form a partnership registered under the *Partnership Act* and provide the Ministry with a signed copy of the partnership agreement before the pilot agreement will be issued to the partnership.

## **4. PROPOSAL PREPARATION AND SUBMISSION**

### **4.1 Deadline for Submission**

All proposals must be received by 4:00 PM on January 15, 1999 at the following location:

Community Forest Pilot Agreement RFP  
Ministry of Forests  
Corporate Policy and Planning Branch  
(3rd Floor- 610 Johnson Street)  
PO Box 9515 Stn Prov Govt  
Victoria, B.C. V8W 9C2

### **4.2 Inquiries**

All inquiries related to the content of this RFP must be submitted in writing. Written inquiries can be delivered by hand, mail or courier to the location shown in section 4.1 above. Inquiries can also be submitted by facsimile at (250) 356-7903. Telephone or e-mail or personal inquiries will not be accepted.

Inquiries must be received by 4:00 PM on December 7, 1998.

### **4.3 Primary Contact**

Any further communications and notices from the Ministry regarding this RFP will be in writing. Proponents should identify the individual who is authorized to receive such communications and notices on their behalf. The identification should include a postal address and a courier address (if different), as well as telephone and facsimile numbers, and e-mail (if available).

This information should be recorded in both the proposal submission as well as on the RFP Receipt Confirmation Form (Attachment A).

### **4.4 Proposal Outline and Format**

All copies of the proposal should conform to the Proposal Outline (Attachment B).

#### 4.5 Proposal Costs

Proponents are solely responsible for their own expenses in preparing a proposal. Funding for the preparation of proposals is not available from the Ministry or from Forest Renewal BC.

#### 4.6 Submissions

Six complete copies of the proposal must be received at the location and time specified in section 4.1 above. One of the six copies must be single-sided and unbound to enable photocopying.

Proposals must be submitted in sealed containers clearly marked with the name and address of the proponent and the words "Proposal for a Community Forest Pilot Agreement" on the outside of the container.

Proposals must be delivered by hand, mail or courier. Proposals submitted by facsimile or e-mail will NOT be accepted.

Proponents are solely responsible for timely delivery of their proposals to the location specified. Late proposals (received after 4:00 PM on January 15, 1999) will be returned unopened.

#### 4.7 Mandatory Submission Requirements

Mandatory submission requirements represent the essential information needed to evaluate proposals.

Proposals **must** contain the following items:

1. Description of eligible legal entity that would become the tenure holder (see section 3.1 above and Attachment C);
2. Description, including a map showing the location of the proposed community forest land base, and documentation supporting availability of the contributing lands (see Attachments B and D);
3. If the proposed community forest land base includes Crown land within a timber supply area, identification and documentation of a source of allowable annual cut that will be available to support a community forest pilot agreement (see Attachment D);
4. Evidence of broad community support and awareness of the community forest pilot proposal being submitted (see Attachments B and E);
5. Business Plan (see Attachment F); and

6. Preliminary Management Plan (see Attachment G).

The mandatory items listed above must be clearly visible in the proposal. Proposals that do not contain these mandatory items will be rejected.

#### **4.8 Proposal Verification and Clarification**

All statements, claims and materials submitted in proposals must be substantiated by supporting documentation (Attachments C,D,E,F,G).

If a proposal is found to contain errors, omissions or misrepresentations of a serious nature, the proposal may be rejected.

In the event that a mandatory submission requirement (as described in section 4.7 above) is not substantiated by supporting documentation, the proposal may be rejected.

At the sole discretion of the Ministry, proponents may be asked to provide additional clarification respecting their proposals.

#### **4.9 Amendments**

Proponents may amend a submitted proposal prior to the deadline for submission. Amendments must be:

- submitted in writing;
- in accordance with all RFP requirements;
- submitted in a sealed container which clearly identifies the proposal being amended; and
- signed by a person authorized to sign on behalf of the proponent, preferably by the same person who signed the original submission.

Written amendments must be submitted to the location shown in section 4.1 above and may be delivered by hand, mail or courier. Amendments submitted by facsimile or e-mail will not be accepted.

The proponent is solely responsible for the timely delivery of amendments.

#### **4.10 Withdrawal**

Proponents may submit a written request to withdraw a proposal to the location indicated in section 4.1. The request may be delivered by hand, mail or courier. A request to withdraw can also be submitted by facsimile to the number shown in section 4.2 above. A proposal withdrawn after the deadline for submission cannot be resubmitted.



## **5. EVALUATION AND AWARD**

### **5.1 Opening of Proposals**

The process of opening and evaluating proposals will not be open to proponents or to the public.

### **5.2 Evaluation and Selection Process**

Proposals will be evaluated and selected through the following process:

- i. All proposals received before the deadline for submission will be screened by the Ministry, in consultation with the sub-committee of the Minister's community forest advisory committee (the "CFAC sub-committee"), to ensure the mandatory requirements (under section 4.7 above) are met.
- ii. Proposals that meet the mandatory requirements will be evaluated by the CFAC sub-committee based on the pilot evaluation criteria listed in Attachment H.
- iii. Following the evaluation of proposals, the CFAC sub-committee will develop a short-list of the highest ranked proposals for submission to the Minister of Forests.
- iv. The Minister will use the sub-committee's short-list and consider the following factors to select a minimum of three proposals that will be eligible for community forest pilot agreements:
  - desire to test innovative approaches, a range of administrative models and forest management regimes under the community forest pilot agreement;
  - desire to provide new opportunities in a range of geographical locations across the Province;
  - government's economic development objectives which include an assessment of:
    - a) existing or alternative economic opportunities currently available to the community, including existing rights to harvest or manage Crown timber; and
    - b) economic conditions facing the community;
  - input received from the public, affected stakeholders or First Nations, in respect of a proposal.

### **5.3 Minimum Scores**

During evaluation by the CFAC sub-committee, proposals are expected to achieve a score equivalent to half of the maximum points in each of the first four categories of evaluation criteria noted below and in Attachment H. Proposals that fail to achieve this score are not likely to make the short-list (see section 5.2 above).

<b>Evaluation Criteria Category</b>	<b>Maximum points</b>	<b>Minimum score</b>
Community involvement (support/awareness/commitment)	30	15
Administrative authority and structure	30	15
Stewardship and management objectives and regimes	20	10
Community forest land base and volume	10	5
Proposal quality	10	0

#### **5.4 Interviews**

At the sole discretion of the Ministry, one or more proponents may be asked for an interview to clarify specific aspects of their proposal. Where an interview is scheduled, the Ministry may request that specific people named in the proposal be present during the interview. Interviews will be held in a location selected by the Ministry. Proponents will be responsible for any costs incurred to attend such interviews.

The interview will be an opportunity for proponents to explain their proposals but not to amend them.

#### **5.5 Public Hearings**

At the sole discretion of the Minister of Forests, public hearings may be scheduled to obtain public input, including input from affected stakeholders and First Nations, on one or more of the proposals that the Minister is considering for a pilot agreement.

Any public hearing will be held in the vicinity of the area proposed for the pilot agreement and will be conducted according to procedures established by the Minister. Where requested, the proponent will be required to provide representatives at the public hearing to present the proposal and respond to questions which arise concerning the proposal.

## **5.6 Opportunity for Public Input in the Absence of a Public Hearing**

If a public hearing is not scheduled, the Ministry will provide an opportunity for the public, including affected stakeholders and First Nations, to review and comment on proposals that the Minister is considering for a pilot agreement.

Where requested, the proponent will be required to provide representatives to respond to questions which arise concerning the proposal.

## **5.7 Negotiation with Selected Proponents**

The Minister will make written offers, via registered mail, to the successful proponents, to enter into negotiations in an attempt to reach an agreement on the content of the community forest pilot agreement. During the negotiation process the Ministry may advise proponents of conditions of being awarded a pilot agreement. The Ministry reserves the right to modify the terms of the RFP at any time during the negotiation phase, without notification to other proponents.

If the negotiations are successful, the community forest pilot agreement document will then be forwarded to the proponent for signature. The proponent must complete and return the agreement by the date specified in the cover letter accompanying the agreement. Failure to sign and return the agreement by the date specified may result in withdrawal of the offer.

If the Ministry and the selected proponent cannot agree on the content of the pilot agreement or the conditions of being awarded a pilot agreement within the time frame specified in the negotiation offer letter, the Ministry may terminate negotiations with that proponent and enter into negotiations with another proponent selected by the Minister.

## **5.8 Obligations of the Ministry**

The Ministry shall not be obligated in any manner to any proponent whatsoever until a pilot agreement has been duly executed relating to an accepted proposal.

Despite section 5.2 iv. of this RFP, the Minister reserves the right in exercising his discretion under section 43.5 of the *Forest Act* to accept a proposal other than one recommended on the short-list presented to him by the CFAC sub-committee.

This RFP does not obligate the Minister in any manner to accept any proposal or to award any community forest pilot agreement.

## **5.9 Summary of Causes for Rejection of a Proposal**

A proposal **will** be rejected for the following reasons:

- failure to meet the specified deadline for submission (section 4.1);
- failure to fulfil all mandatory submission requirements (section 4.7).

A proposal **may** be rejected for the following reasons:

- the proposal includes conditions or clauses contrary to the terms and conditions of the RFP (section 2.5);
- the proposal contains errors, omissions or misrepresentations which, in the sole opinion of the Ministry, are of a serious nature (section 4.8);
- a mandatory submission requirement is not substantiated by supporting documentation(section 4.8).

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## **PART C: ATTACHMENTS**

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- A. RFP Receipt Confirmation Form
- B. Proposal Outline
- C. Documentation for Verification of Legal Entity
- D. Documentation of Contributing Land Base and AAC
- E. Documentation of Community Support and Awareness
- F. Business Plan Guidelines
- G. Preliminary Management Plan Guidelines
- H. Pilot Evaluation Criteria
- I. Content of Community Forest Pilot Agreement

**Attachment A. RFP Receipt Confirmation Form  
Community Forest Pilot Agreement RFP**

**Instructions:**

**Please complete the information required below and return this form (preferably by fax) to the following address. Failure to return this form may result in no further communication regarding this RFP.**

**Community forest pilot agreement RFP  
Ministry of Forests  
Corporate Policy and Planning Branch  
PO Box 9515 STN Prov Govt  
Victoria, B.C. V8W 9C2  
Fax: (250) 356-7903**

NAME OF PROPONENT: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

COURIER ADDRESS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

PRIMARY CONTACT: \_\_\_\_\_

TITLE: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

FACSIMILE NO. \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

**I/we have received a copy of the above-noted RFP and:** (check appropriate response)

- will be submitting a proposal
- will not be submitting a proposal, but wish to receive further information on this RFP
- will not be submitting a proposal, and do not require further information on this RFP.

SIGNATURE: \_\_\_\_\_ PRINT NAME \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

## Attachment B. Proposal Outline

Proposals should be prepared using the following outline. Descriptions of how to complete the various sections are intended as guidelines; proponents are not limited to the suggested topics.

It is the responsibility of proponents to ensure that they address all requirements of the RFP and provide sufficient information to address the mandatory submission requirements.

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### **Title Page**

Show the RFP name, deadline for submission, proponent name, address, telephone number, facsimile number and the name of the primary contact person.

### **Letter of Introduction**

One page, introducing the proponent, dated and signed by the person(s) authorized to sign on behalf of the proponent, and bind the proponent to statements made in the proposal.

### **Table of Contents**

Show the page numbers of all major headings.

### **1.0 Executive Summary**

Provide a concise overview of the proposal summarizing, in no more than three pages, the key points from each major section. Indicate where supporting detail is located in the proposal body and its attachments.

Convey why a community forest pilot agreement is important to the community and measures proposed to ensure that the pilot agreement would be successfully implemented.

Highlight any particularly innovative or unique measures proposed for establishing or managing the community forest pilot agreement area, and any notable benefits that would accrue to the community and the Province as a result of establishing a pilot agreement in this area.

### **2.0 Community Forest Land Base (and AAC, where applicable)**

Briefly outline how the area proposed for the community forest pilot agreement land base has historically been used, and how it would be used under management as a community forest pilot agreement. Identify any issues or areas of potential conflict that will need to be addressed in implementing the community forest pilot agreement.

Provide a map showing the location of the proposed community forest pilot agreement area, its contributing lands, nearby communities, existing access structures and other pertinent information. The map scale should be in the range of 1:20,000 to 1:50,000.

Based on the best information currently available, describe the proposed land base in terms of the:

- contributing lands: e.g., ownership, any restrictions on use;

- forest resources: e.g., productivity and potential uses, forest types, timber and non-timber resources;
- state of land and resources: e.g., history and current management; existing tenures;
- access to area: e.g., existing roads;
- environmental considerations: e.g., sensitive sites or unique features;
- cultural considerations: e.g., areas of cultural significance.

Where the proposed land base is within a timber supply area, describe the source of allowable annual cut to be used in support of the community forest pilot agreement.

### **3.0 Stewardship and Management Objectives and Regimes**

Include a Preliminary Management Plan in this section (see Attachment G).

Include a description of the intended process for public involvement and consultation concerning matters relating to the community forest pilot agreement, including consultation within the community and with government agencies, First Nations and affected stakeholders (including licenced users).

### **4.0 Community Involvement**

Describe the community(ies) by whom and for whom the community forest pilot agreement will be managed.

Describe the level of support, awareness and commitment by the community (see Attachment E).

### **5.0 Administrative Authority and Structure**

Include in this section a Business Plan (see Attachment F) for the community forest pilot agreement.

Where not covered in the business plan or preliminary management plan, include in this section a description of the proposed processes for decision-making, resource allocation, monitoring and reporting, and for the resolution of any conflicts regarding implementation of the community forest pilot agreement.

### **Attachments**

Attach relevant supporting information and documentation to the proposal.

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## **Attachment C: Documentation for Verification of Legal Entity**

Two photocopies of the following documents are required as part of the proponent's proposal and upon further request, certified copies must be submitted:

### **(a) Band as defined in the *Indian Act* (Canada)**

- the band council resolution authorizing the band to enter into the community forest pilot agreement;
- the names and addresses of the chief and the band councillors;
- the address of the band office.

### **(b) Municipality or Regional District**

- a copy of the municipality's or regional district's incorporating letters patent;
- a copy of the municipal council resolution or regional district board resolution in support of submission of the proposal for a community forest pilot agreement;
- a copy of the municipal council resolution or regional district board resolution in support of the passing of a bylaw to enter into the pilot agreement if the agreement is awarded;
- in the case of a regional district, confirmation that an application has been made to the Ministry of Municipal Affairs for a regulation to provide authority to enter into a community forest pilot agreement.

### **(c) Society incorporated under the *Society Act***

- a copy of the certificate of incorporation of the society issued by the Registrar of Companies under section 3 of the *Society Act*, or in the alternative, a Certificate of Good Standing issued by the Registrar;
- copies of the constitution and by-laws of the society certified by the Registrar of Companies pursuant to section 3 of the *Society Act*;
- a list of the names and addresses of the individuals who are the current directors of the society, as of the date that the proposal for the community forest pilot agreement is submitted by the proponent;
- the address of the office of the society;
- a copy of the last annual report filed with the Registrar of Companies.

### **(d) Association incorporated under the *Cooperative Association Act***

- a copy of the certificate of incorporation of the cooperative issued by the Registrar of Companies under section 8 of the *Cooperative Association Act*, or in the alternative, a Certificate of Good Standing issued by the Registrar;
- the statement signed by the incorporators and required to be submitted to the Superintendent of Cooperatives under section 6 of the *Cooperative Association Act*;
- the memorandum and rules adopted by the subscribers of the cooperative and all amendments thereto required to be filed by the subscribers or members with the Superintendent of Cooperatives under the *Cooperative Association Act*;

- a list of the names and addresses of the individuals who are the current directors of the cooperative, as of the date that the proposal for the community forest pilot agreement is submitted by the proponent;
- the address of the office of the cooperative;
- a copy of the last annual report filed with the Registrar of Companies.

**(e) Corporation incorporated under the *B.C. Company Act***

- the certificate of incorporation of the company issued by the B.C. Registrar of Companies under section 9 of the *Company Act*;
- the memorandum of incorporation, and all amendments thereto, as defined in section 1 and required under section 5 of the *Company Act*;
- the articles of incorporation and all amendments thereto, as defined in section 1 and required under section 6 of the *Company Act*;
- a list of the names and addresses of the individuals who are the current directors of the company, as of the date that the proposal for the community forest pilot agreement is submitted by the proponent;
- the notice of offices setting out the current addresses of the registered office and the records office of the company, as required under section 8 of the *Company Act*;
- the most recent annual report of the company required to be filed with the Registrar of Companies under sections 333 and 334 of the *Company Act*;
- instruments of continuation of the corporation, if any;
- the charter of the corporation, if any.

**(f) Partnership registered under the *Partnership Act***

- the declaration of partnership and all amendments thereto required to be filed by the partnership with the Registrar of Companies under the *Partnership Act*;
- in the case of a limited partnership, the certificate of limited partnership and all amendments thereto required to be filed by the limited partnership with the Registrar of Companies under the *Partnership Act*;
- a copy of the written partnership agreement and all amendments thereto, signed by all of the partners in the partnership, including all general partners and all limited partners;
- the address of the office of the partnership.

## Attachment D. Documentation of Contributing Land Base and AAC

### Contributing Land Base

All areas proposed for inclusion in the community forest pilot agreement must be identified in the proposal and the availability of those areas for inclusion must be supported by verifiable documentation. The following is a summary of the types of land that may be included and a description of the documentation required to support the availability of the land. This summary is intended as a guideline only. The required documentation will vary considerably depending on the status of the land and the proponent's legal entity. It is the responsibility of the proponent to ensure that the appropriate authorities have been consulted in order to determine the availability of the proposed land base.

Status of Land	Documentation	Note
Crown land within a Provincial Forest (outside of a municipality)	Letter of confirmation from forest district manager, and other applicable government agencies, including Environment and Lands regional offices, who have issued licences, permits or leases for areas included in the proposed area	It may not be possible to describe precise boundaries of Crown land at the proposal stage. Approximate boundaries will be acceptable, which will be negotiable in the event that the proposal is accepted.
Crown land within a designated "chart area" for a forest licence	Letter of confirmation from forest district manager and letter of support from licensee operating in chart area	
Land within a tree farm licence	Letter of confirmation from forest district manager and letter of support from licensee for deletion of area from TFL	
Crown land outside of a Provincial Forest	Letter of confirmation from Environment and Lands regional offices and BC Assets and Land Corporation, and other applicable government agencies who have issued licences, permits or leases for areas included in the proposed area	
Private land owned by a municipality or regional district	Resolution by Municipal Council or Regional District Board supporting inclusion of land	
Other private land	Letter of support and commitment from land owner	
Indian Reserve land	Band Council resolution supporting inclusion of land	
Crown land held under lease	Letter of commitment from lease holder and letter of confirmation from Environment and Lands regional offices	Applicability of lease lands for inclusion in the community forest agreement will vary depending on the term of the lease and conditions under which it has been granted

## Allowable Annual Cut

Where contributing land falls within a timber supply area, it is necessary to provide evidence that there is allowable annual cut available to support a community forest pilot agreement. Below is a description of the sources of AAC that will be considered “available” to support a pilot agreement. Also included is the documentation required as part of the proposal submission as evidence of the availability of the AAC.

Source	Documentation	Note
AAC that is currently unapportioned to a type of tenure or category of tenure	Letter of confirmation from forest district or regional manager	
AAC that has been apportioned to forest licences but has not been committed to a specific licence	Letter of confirmation from forest district or regional manager	
AAC that has been apportioned under the category of SBFEP but has not been committed to a specific timber sale licence	Letter of confirmation from forest district or regional manager <u>and</u> Letter of support from affected SBFEP registrants	The district or regional manager should be consulted to determine the "affected SBFEP registrants"
AAC that has been committed to or issued under a replaceable or non-replaceable forest licence	Letter of confirmation from forest district or regional manager <u>and</u> Letter of support and commitment from licensee for surrender of all or a portion of the AAC rights under that licence	
Other sources of AAC	Letter of confirmation from forest district or regional manager <u>and</u> (where applicable) Letter of support and commitment from licensee for surrender of volume	Proponents who have identified other sources of AAC should consult with the forest district or regional manager to determine the availability of such AAC

Proponents are advised to consult with their local forest district or regional manager for further explanation of the above terms and conditions.

Proponents are further advised that the decision to reapportion volume between categories of licences lies solely with the Minister of Forests.

## **Attachment E. Documentation of Community Support and Awareness**

Proponents are required to demonstrate that there is strong support and awareness of the proposal from a broad cross-section of the community that the community forest pilot agreement is intended to serve.

Examples of some of the ways by which a proponent could demonstrate community support and awareness include:

- recognition of proposal in an official community plan;
- recognition of proposal in bylaws or resolutions, of the legal entity;
- where supported by prior public notice:
  - input resulting from a community meeting respecting the proposal;
  - results of a survey respecting the proposal;
- letters of support regarding the proposal.

This list is not considered complete or binding; proponents may choose to employ a number of methods. It is the responsibility of the proponent to determine which methods will provide the most accurate indication of broad community support and awareness. This decision will be influenced by the size and makeup of the community and the legal entity seeking a community forest pilot agreement.

### **Letters of Support**

Letters of support should be coordinated by the proponent and submitted as part of the proposal. Letters of support received by the Ministry or Minister under separate cover will not be considered as part of the proposal submission unless they are submitted by the proponent as an amendment in accordance with the requirements of this RFP and received before the deadline for submission. It is acceptable to include photocopies of letters of support which were submitted previously in regards to the community's expression of interest made earlier this year. However, proponents should confirm that such letters of support are still valid with regard to the content of proposals made under this RFP.

### **Consultation with Stakeholders and First Nations**

Proponents are advised that the Ministry has an obligation to consider the input and concerns of First Nations, the general public, stakeholders and licenced users that would potentially be affected by the issuance of a community forest pilot agreement on Crown land. Such input will be solicited and considered as part of the pilot selection process by the Ministry. Although it is not a mandatory submission requirement (except where required to demonstrate the availability of land base and allowable annual cut), proponents are encouraged to ascertain the position of such parties and address how their concerns, if any, will be addressed in the proposal for the community forest pilot agreement.



## Attachment F. Business Plan Guidelines

Information contained in the Business Plan submitted as part of a proposal for a community forest pilot agreement under this RFP will be used during the evaluation of the proposal. In addition, where a proposal is selected, commitments made in the business plan may be included as contractual obligations in the pilot agreement.

Proponents are advised that the evaluation of a business plan as part of a proposal is not intended as an assessment of the financial viability or feasibility of a business venture. It is the responsibility of a proponent to ensure that such assessments are carried out by appropriate experts and, where necessary, lending institutions, prior to submission of the proposal.

For the purpose of preparing financial forecasts or statements associated with the harvesting of Crown timber, proponents are advised of the following:

- The provincial stumpage system will be applied to timber harvested from the Crown land portion of each community forest pilot agreement. Copies of the coast and interior stumpage appraisal manuals are available from Crown Publications in Victoria ((250) 386-4636);
- Community forest pilot agreements will be subject to payment of annual rent, the rate of which has yet to be established through regulation. For purposes of the business plan, a rate of \$1.25 per hectare of Crown land in the agreement area should be used. This rate is subject to change, dependent on the regulation to be enacted and on the terms of the individual pilot agreements;
- Proponents may identify alternative fiscal arrangements as an option within the business plan which the Ministry may consider if the proposal is selected for a pilot agreement;
- Holders of community forest pilot agreements will be responsible for the payment of all applicable taxes and fees. These taxes and fees will vary depending on the type of land contributing to the agreement area as well as the type of legal entity holding the agreement. It is the responsibility of the proponent to determine what those taxes and fees will involve.

A suggested outline for a business plan, indicating some basic information requirements expected in the business plan submitted as part of the proposal for this RFP follows. Proponents are not obliged to use this format. The following government Internet sites offer assistance in producing business plans:

***Canada BC Service Center***

<http://www.cbsc.org/main.html>

(Information phone line: 1-800-667-2272)

***Ministry of Small Business, Tourism and Culture***

<http://www.sb.gov.bc.ca/>

Proponents may also wish to consult guidelines provided by various banks and financial organizations.

Reference to “company” or “business” in this outline is not intended to exclude eligible legal entities that may not commonly be considered as corporate structures (i.e., Indian Bands, municipalities, regional districts).



## **Business Plan Outline**

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### **1.0 Executive Summary**

Include a concise (maximum two pages) overview of the legal entity's history, corporate makeup, main products, present financial state and future plans.

### **2.0 Company Background**

Include a brief mission statement which indicates the purpose of the business, what it will do, and for whom.

Describe how the business will be structured. Include reference to all legal entities named in proposal (the proponents) and other businesses or that will play an important part in the operation of the business if the proposal is successful.

Describe the nature of the business and any distinguishing features or unique characteristics.

### **3.0 Management - Organization**

For the legal entity(ies) named as the proponent for the RFP and for any other organization or company which will play a prominent role in the business affairs or operations of the community forest pilot agreement, identify:

- the proposed role of the legal entity, organization or company in the business affairs and operations of the community forest pilot agreement;
- key personnel within the legal entity, organization or company, their proposed roles and their qualifications relevant to those roles.

### **4.0 Product/Service Description**

Describe the products and services that the business will produce and identify factors that will contribute to the success of the business.

### **5.0 Industry/Market Analysis and Strategy**

Describe the environment in which the business will be operating and how the business will respond to the market conditions. Provide a summary of the competition the business will encounter.

Provide an analysis of the company's products in the context of the markets being served, measured against the markets available.

If the business will be involved in a specialized venture, provide a comprehensive description of that market including whether the product will be marketed locally, nationally or internationally, and the potential demand in each market area.

## **6.0 Potential Risks and Pitfalls**

Identify the inherent risks to the business and how those risks will be addressed.

## **7.0 Implementation Plan**

If the business will be seeking financing or capital, show how the funds will be acquired and how the lender/investor will be repaid. Include a table listing the various expenditures and the corresponding sources of financing.

## **8.0 Human Resources**

Identify the tasks/jobs that will require full-time and/or part-time employees. Include positions which will be staffed by volunteers. Identify associated costs.

## **9.0 Future Plans**

State the short, medium and long-term objectives for the business. Statements in this section should be in alignment with other components of the business plan and with objectives identified in the Preliminary Management Plan submitted with the RFP.

## **10.0 Projected Financial Statement Summary**

Provide the following for each of the five years of operations under the term of the community forest pilot agreement:

- profit and loss forecast based on projected income statement;
- cash flow forecast;
- balance sheet forecast;
- projected capital expenditure budget.

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## **Attachment G. Preliminary Management Plan Guidelines**

The Preliminary Management Plan submitted as part of the proposal is expected to provide a clear statement of the proponent's objectives for resource management on the community forest pilot agreement area and the strategies that the proponent will use to implement the stated objectives. As described below, proponents who are awarded pilot agreements will be given further opportunity to develop management plans for submission to and approval by the regional manager or the regional manager's designate.

The Preliminary Management Plan submitted as part of this RFP will be used in the evaluation of the proponent's proposal. Where a proposal is selected as a pilot, commitments made in the preliminary management plan may be included as contractual obligations in the agreement.

Once a pilot is issued, the proponent will be given an additional opportunity to further develop components of its management plan in a manner which is consistent with commitments made in the original submission and requirements to be set out in the pilot agreement.

Once approved, the management plan will form an integral part of the community forest pilot agreement and will be used as a key component against which operations under the agreement will be monitored and evaluated.

Proponents should ensure that statements made in the Preliminary Management Plan are consistent with those in the Business Plan. Where there is overlap, cross-reference should be identified.

A suggested outline for the Preliminary Management Plan required for submission under this RFP follows. Where necessary to describe and address the range of objectives that the proponent proposes to pursue under the pilot agreement, additional headings or content should be included.

## **Preliminary Management Plan Outline**

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### **1.0 Statement of Goals and Guiding Principles**

Describe the general management philosophy and broad resource management goals proposed for the community forest pilot agreement.

### **2.0 Management Objectives**

Describe the specific resource management objectives, including those related to stewardship of forest resources on the proposed agreement area.

### **3.0 Management Strategies**

Describe the specific strategies to achieve each of the stated management objectives. Highlight any innovative management practices which are not currently common in the surrounding forests.

### **4.0 Resource Inventories**

Identify existing inventories, and state commitments to conduct additional inventories necessary to properly plan for resource management on the agreement area.

### **5.0 Proposed Harvest Rates and Methods of Self-Regulation**

The Preliminary Management Plan should contain a proposed harvest rate for timber and any other resources intended for extraction under the community forest pilot agreement. An explanation of how harvest rates were developed should also be included. Where proponents do not have access to necessary information that would allow proposal of harvest rates, plans to obtain such information for the establishment of such rates should be identified, and the proposed methodology to develop the harvest rates should be explained.

Describe the mechanisms that will be employed to ensure that resources are utilized in a sustainable manner, including reference to impacts on community stability, and flow of benefits to the community and the Province.

### **6.0 Resource Planning**

Describe the process to be used for planning related to resource management, including protection and resource development.

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## **Attachment H. Pilot Evaluation Criteria**

All proposals for community forest pilot agreements which are received by deadline for submission and which fulfill the mandatory submission requirements will be evaluated by the CFAC sub-committee on the degree to which they address the following criteria in each of the noted categories. Proposals which fail to achieve a score of equivalent to half of the maximum points in each of the first four categories are unlikely to be included on the short-list.

## Pilot Evaluation Criteria

Category	Maximum Points
<p><b>Community involvement (support/awareness/commitment)</b></p> <ul style="list-style-type: none"> <li>• Commitment of key stakeholders who will affect/be affected by the community forest;</li> <li>• Representativeness and support of broad spectrum of interests within community;</li> <li>• Awareness of proposal within community.</li> </ul>	<b>30</b>
<p><b>Administrative authority and structure</b></p> <ul style="list-style-type: none"> <li>• Business Plan: financial commitments and source of financing for start-up costs and long-term investments; access to professional expertise in business, forest management, and forest operations;</li> <li>• Process for decision-making; mechanism for conflict resolution; plan for public involvement;</li> <li>• Mechanisms for monitoring, auditing and reporting;</li> <li>• Legal Entity: description and/or existence of legal entity that will hold the community forest pilot agreement; capability to meet specified legal requirements.</li> </ul>	<b>30</b>
<p><b>Stewardship and management objectives and regimes</b></p> <ul style="list-style-type: none"> <li>• Preliminary management plan (activities, outputs, results proposed over the pilot period and how these support the community forest objectives);</li> <li>• Correspondence of proposed community objectives with government objectives for community forest pilot agreement (stated in section 1.2)</li> <li>• Community forest linkages with existing local forest-based operations and programs;</li> <li>• Compatibility of proposed objectives with government land base objectives as expressed in higher level plans for the area in which the proposed community forest is located.</li> </ul>	<b>20</b>
<p><b>Community forest land base and volume</b></p> <ul style="list-style-type: none"> <li>• Land base appropriateness (size, configuration, location, nature) to community forest objectives;</li> <li>• Contributions of Indian Reserve, private, municipal or leased lands;</li> <li>• Contributions of volume from committed sources.</li> </ul>	<b>10</b>
<p><b>Proposal quality</b></p> <ul style="list-style-type: none"> <li>• Quality, comprehensiveness, innovation, chance of success.</li> </ul>	<b>10</b>

## Attachment I. Content of Community Forest Pilot Agreement

Information on the proposed content of the community forest pilot agreement will be forwarded to proponents as an addendum to the RFP package (refer to note in *Important Information for Prospective Proponents*).

This information is intended to provide proponents with an indication of the type of “contract” that they will be expected to enter into with the Ministry if they are awarded a pilot agreement.

The content requirements found under section 43.3 of the *Forest Act* (as amended by the *Forest Statutes Amendment Act, 1998*) dictate certain provisions that must, or may be included in the community forest pilot agreement document. The Ministry intends to include a number of additional provisions, many of which are standard to forest tenure documents. These additional provisions serve a number of purposes:

- expand on statutory requirements of the agreement (e.g., requirements regarding submission of management plans; consultation and reporting; payments to Government);
- address issues related to liability and risk to the Government; and
- clarify that the agreement is subject to provisions found in statute (i.e., an agreement cannot be inconsistent with statutory requirements; and, an agreement holder must comply with statutory requirements whether they are referenced in the agreement).

The Ministry also intends to provide for the negotiated development of additional provisions related to individual pilot agreements. These provisions may include any or all commitments made in the proposal.